

ORDINANCE _____

AN ORDINANCE ORDERING THE HOLDING OF A SPECIAL ELECTION IN THE CITY OF KILLEEN, TEXAS, TO CONSIDER A COMBINED PROPOSITION ABOLISHING THE ADDITIONAL SALES AND USE TAX WITHIN THE CITY OF KILLEEN AND ADOPTING A SALES AND USE TAX WITHIN THE CITY OF KILLEEN AT A RATE OF ONE AND ONE-HALF PERCENT; SPECIFYING THAT THE PROVISIONS OF THE ELECTION LAWS SHALL CONTROL ALL QUESTIONS PERTAINING TO SUCH ELECTION; PRESCRIBING THE CONTENTS OF THE OFFICIAL BALLOT; PROVIDING FOR ELECTION WORKER COMPENSATION; DESIGNATING THE POLLING PLACES, AND PROVIDING FOR POSTING AND PUBLICATION OF NOTICE OF ELECTION AND CONTAINING MISCELLANEOUS PROVISIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KILLEEN:

SECTION 1. That, pursuant to the laws of the State of Texas and the Charter of the City of Killeen, it is ordered by the City Council that a special election be held in the City of Killeen, Texas, on May 2, 2020, for the purpose of submitting to the qualified voters of the City, to consider amending 0.5% of the sales tax rate from Property Tax Relief, referred to as an additional sale and use tax in the Tax Code, to General Government Purposes. Any reference in this ordinance hereinafter to “Election Day” shall mean May 2, 2020.

SECTION 2. That the vote shall be upon an official ballot prepared in such manner as will permit the voters “FOR” or “AGAINST” the proposition submitted, with the proposition to be set forth on the official ballots in substantially the following form:

Proposition A

The abolition of the additional sales and use tax within the City of Killeen; and a sales and use tax is adopted within the City of Killeen at the rate of one and one-half percent (1.5%). The total sales tax rate will not change.

SECTION 3. The manner of holding the election and all questions pertaining to such election shall be governed by the V.T.C.A. Election Code, and the returns shall be made and canvassed and the results declared as in other legal elections of the City of Killeen.

SECTION 4. Each qualified voter who desires to cast an early vote or who expects to be absent on the date of the election shall be entitled to an official ballot and to cast such ballot in accordance with the applicable provisions of Title 7, V.T.C.A., Election Code, beginning April 20, 2020, and continuing through April 28, 2020. The City Secretary will be the early voting clerk, who may appoint

by written order one or more temporary deputies to serve as deputy early voting clerks in accordance with the applicable law. Early voting will be held in the first floor lobby of the Killeen City Hall, 101 North College (mailing address: PO Box 1329, Killeen, TX 76540, Attention: Early Voting Clerk), at the Killeen Community Center, 2201 E. Veterans Memorial Boulevard, Killeen, and at the Killeen Lions Park Senior Center, 1700-B E. Stan Schlueter Loop between the hours of 8:00 a.m. and 5:00 p.m. on each day of early voting except Saturdays, Sundays, and official State or City holidays. Provided, however, that on the first and last day of early voting, the hours shall be 7:00 a.m. to 7:00 p.m. For the 2020 election those dates shall be April 20th and April 28th. The City Hall location for early voting is also where ballot applications and ballots voted by mail may be sent. Should the Killeen Independent School District also have an election on such date, branch early voting shall also be at the KISD School Administration Office, 200 North W.S. Young Drive, Killeen, between the hours of 8:00 a.m. and 5:00 p.m. on each day of early voting except Saturdays, Sundays, and official State or City holidays.

SECTION 5. The election shall be held in the hereafter-designated polling places between the hours of 7:00 a.m. to 7:00 p.m. on the date of the election.

PRECINCT # 106

Fire Station #1
3800 Westcliff Road

PRECINCT #109

St. Joseph's Catholic Church
2903 East Rancier

PRECINCT #201/204

Fire Station #3
700 Twin Creek Drive

PRECINCT #205

Jackson Professional Learning Center
902 Rev. R. A. Abercrombie Drive

PRECINCT #206/402/409

Killeen Senior Center at Lions Club Park
1700 E. Stan Schlueter Loop

PRECINCT #207

Copper Mountain Library
3000 South W. S. Young Drive

PRECINCT #203/208/210

Cedar Valley Elementary School
4801 Chantz Drive

PRECINCT #404

Fire Station #7
3701 Watercrest Road

PRECINCT #405

Robert M. Shoemaker High School
3302 Clear Creek Road

PRECINCT #406

Central Fire Station
201 S. 28th Street

PRECINCT #401/412/413

Fire Station #9
5400 Bunny Trail

PRECINCT #408

Fire Station #5
905 West Jasper Road

PRECINCT #410

Fire Department Support Facility
114 W. Avenue D

SECTION 6. The City Council shall appoint presiding election judges and alternate presiding judges for the election at the precinct polling places and as the Early Voting Ballot Board to process the early voting results, provided that if neither the presiding judge nor the alternate presiding judge can serve and their inability to serve is discovered so late that it is impracticable to fill the vacancy in the normal manner, the Mayor shall have the authority and is hereby directed to appoint a replacement judge to preside at the election. The presiding election judge for each precinct shall appoint no more than two (2) election clerks in addition to the alternate presiding judge named herein to assist the judge in the conduct of the election. The presiding election judges, alternate presiding judges, and clerks shall be paid \$10.00 per hour for serving in such capacities, and the election judges and/or alternate judges shall be paid an additional \$25.00 for delivering the returns of such election to the City Secretary for proper tabulation. No presiding election judge, alternate presiding judge, or clerk shall be compensated for a period in excess of the time extending from one hour before the polls open until two hours after the polls close. The Early Voting Ballot Board shall be paid a set rate of \$50.00 for serving in such capacity that will include proper tabulation. Provided, however, that should the Early Voting Ballot Board need to reconvene to tabulate provisional ballots, they shall be paid an additional \$10.00 per hour for such services.

SECTION 7. Digital scan ballots shall be used for early voting by mail, curbside voting, and Election Day. The Model DS200 Digital Image Scanner and ExpressVote BMD (ballot marking device) Terminals shall be used for early voting by personal appearance and on Election Day.

SECTION 8. All resident qualified electors of the City of Killeen shall be permitted to vote at the election.

SECTION 9. The election materials enumerated in Sec. 272.001, et seq., V.T.C.A. Election Code, shall be printed and furnished in both English and Spanish for use at each polling place on Election Day and for early voting.

SECTION 10. Notice of election shall be given by posting substantial copies of the Notice of Election as prescribed by the Secretary of State's office in both English and Spanish at the Killeen City Hall, the official city website and at three (3) other public places in the City at least thirty (30) days prior to the date set for the election; and substantial copies of the Notice of Election in both English and

Spanish shall be one time in a newspaper of general circulation in the City, the date of publication to be not less than fourteen (14) days prior to the date set for the election.

SECTION 11. Returns of election shall be made by the election officers to the City Council at a meeting following the election; the returns will be canvassed and the results of the election declared as prescribed by the Election Code, V.T.C.A., of the State of Texas and the City Charter.

SECTION 12. It is officially found, determined, and declared that the meeting at which this Ordinance has been adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered and acted upon at the meeting, including this Ordinance, was given, all as required by the applicable provisions of the Texas Government Code, Sec. 551.001, *et seq.*

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 28th day of January 2020, at which meeting a quorum was present, held in accordance with the provisions of the Texas Government Code, Sec. 551.001, *et seq.*

APPROVED

Jose Segarra, MAYOR

ATTEST:

Lucy C. Aldrich, CITY SECRETARY

APPROVED AS TO FORM

Traci S. Briggs, INTERIM CITY ATTORNEY